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**PATENT**  
5681-07800/P7091

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/087,237

Filed: March 1, 2002

Inventors:

Ajay Kumar

Hanumantha Rao Susarla

Prakashy Khemani

Title: System and Method for  
State Saves in a Distributed  
Data System

§ Examiner: Hoang, Phuong N.  
§ Group/Art Unit: 2126  
§ Atty. Dkt. No: 5681-07800  
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Robert C. Kowert

Printed Name

Signature

August 8, 2006

Date

**PETITION UNDER 37 C.F.R. 1.181(a)**  
**TO WITHDRAW HOLDING OF ABANDONMENT**

Commissioner for Patents  
Mail Stop Petitions  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants' representative is in receipt of a Notice of Abandonment for the above-referenced application. The Notice of Abandonment indicates that the application has been held to be abandoned in view of Applicants' failure to respond to the Office Action mailed December 9, 2005.

Applicants hereby submit this Petition to withdraw the holding of abandonment based on failure to receive the Office Action mailed December 9, 2005 for the above-identified application. *See* M.P.E.P. § 711.03(c).I.A. The application was held to be abandoned for failure to respond to the Office Action, mailed December 9, 2005, within the allotted time frame. However, Applicants' representative did not receive the Office Action mailed December 9, 2005. A search of Applicants' representative's file and docket records indicates that the Office Action was not received. Attached hereto is a true

and correct copy of Applicants' representative's docket record (two pages) for the subject application. Note on the second page of the docket record that there is no due date entry for a response to an Office Action mailed December 9, 2005. If the Office Action had been received, the docket record would have included a due date entry showing a response due March 9, 2006 (three months from December 9, 2005). The undersigned has no record of receipt of the Office Action mailed December 9, 2005. Accordingly, Applicants respectfully request that holding of abandonment of the present application be withdrawn. Applicants further requests that a re-dated Office Action be mailed to the addressee currently of record.

### **CONCLUSION**

According to M.P.E.P. § 711.03(c), no fees should be due; however, should any fees be required, please appropriately charge those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 501505/5681-07800/RCK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☒ Docket Record for U.S. Serial No. 10/087,237 (2 pages)

Respectfully submitted,



Robert C. Kowert  
Reg. No. 39,255  
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8850

Date: August 8, 2006

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# Country Application

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<b>Case Number:</b> 5681-07800	<b>Country:</b> US	<b>SubCase:</b>
<b>Client:</b> SUN MICROSYSTEMS	United States of America	
<b>Case Type:</b> ORD	<b>Application Status:</b> Published	
<b>Application Number:</b> 10/087237	<b>Filing Date:</b> 01-Mar-2002	
<b>Publication Number:</b> 0167333	<b>Publication Date:</b> 04-Sep-2003	
<b>Patent Number:</b>	<b>Issue Date:</b>	
<b>Parent/PCT Number:</b>	<b>Parent/PCT Date :</b>	
<b>Parent Issue Number:</b>	<b>Parent Issue Date :</b>	
<b>Tax Schedule:</b> LE	<b>Expiration Date:</b>	
<b>Confirmation #:</b>	<b>Patent Term Adjustment:</b> 0	
<b>Owner:</b>		
<b>Agent:</b>	<b>Agent Reference #:</b>	
 <b>App.Title:</b> SYSTEM AND METHOD FOR STATE SAVES IN A DISTRIBUTED DATA SYSTEM		
<b>Tax Start Date:</b>	<b><u>Inventors:</u></b>	
<b>Family Reference:</b>	Ajay Kumar	
	Hanumantha R Susarla	
	Prakash Khemani	
 <b>Remarks:</b> Assignment recorded 04/30/02 on R 012854/F 0634 rec'd 7/15/02.		

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## List Of Actions

Action(s) Due	Due Date	Indicator	Action Taken Resp.
6 Mon Soft Date	22-Apr-2002	Due Date	04-Mar-2002
Parts Due	29-May-2002	Due Date	22-Apr-2002
Filing Receipt	01-Jun-2002	Reminder	03-Apr-2002
IDS	01-Jun-2002	Due Date	03-Aug-2005
Recorded Assign Due	19-Jul-2002	Reminder	15-Jul-2002
Client Letter	01-Dec-2002	Due Date	01-Dec-2002
Foreign Filing Deadline	01-Mar-2003	Due Date	01-Mar-2003
Expect Action	01-Mar-2005	Due Date	19-Jan-2005
Response Due	12-Apr-2005	Due Date	12-Apr-2005
Response Due	27-Sep-2005	Due Date	27-Sep-2005
Status Letter	01-Mar-2006	Due Date	19-Jan-2005

**Created By:** sonie

**User ID:** sonie

**Date Created:** 29-Oct-2001

**Last Update:** 12-Sep-2003